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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,911	07/31/2003	Masahiro Yamazaki	62758-039	7572
20277	7590	07/27/2005	EXAMINER	
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/630,911

Applicant(s)

YAMAZAKI ET AL.

Examiner

Keith T. Ferguson

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-11 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2683

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

2. Claims 10-11 are objected to because of the following informalities: claim 10, line 2, "comprising" should recite "comprising:". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

Art Unit: 2683

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Backman et al..

The claimed invention reads on Backman et al. as follows:

Regarding claim 1, Backman et al. discloses a hand held GPS mapping device (mobile terminal) (fig. 1 number 10 and col. 2 lines 3-40) comprising: a compressed-application preserving (memory) means compressing (map image applications) application programs and preserving them (col. 3 lines 24 through col. 4 line 53, col. 5 lines 10-54 and col.6 lines 29-36); a location-information acquiring means (GPS) acquiring location information of the mobile terminal (col. 2 lines 3-40 and col. 5 lines 10-54; a means referring to the location acquired by said location-information acquiring means and determining whether or not the application program (map program) stored in said compressed-application preserving means should be decompressed (col. 3 lines 24 through col. 4 line 53, col. 5 lines 10-54 and col.6 lines 29-36); a decompressing means decompressing the application program when the determining means has determined that the application program should be decompressed (col. 3 lines 24 through col. 4 line 53, col. 5 lines 10-54 and col.6 lines 29-36); and a decompressed-

Art Unit: 2683

application storing means (memory) storing the decompressed application program (col. 3 lines 24 through col. 4 line 53, col. 5 lines 10-54 and col.6 lines 29-36).

Regarding claim 2, Backman et al. discloses a Tiff directory (correspondence table) storing the correspondence between a pointer (identifier) of said image (application program) and data of a location range (i.e. where the image is stored in a file) (fig. 5, col. 3 lines 49-59 and col. 4 lines 24-32).

Regarding claim 5, Backman et al. discloses a means to change/set the interval between acquisition of location of the mobile terminal' (col. 2 lines 29-35).

5. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hara.

The claimed invention reads on Hara as follows:

Regarding claims 10 and 11, Hara discloses a method (fig. 9) for controlling a mobile terminal (fig. 9 and paragraph 0036 through paragraph 0039) comprising a means to acquire location of the mobile terminal (fig. 9 number S200), wherein a travel plan module, comparing module, provision information selecting module, position module and time and date module (compressed application programs) corresponding to the location area (pre-

Art Unit: 2683

registered particular location range) is decompressed when the acquired location of the mobile terminal is found a prescribed plurality of number of times in succession in the pre-registered particular location range (paragraph 0036 through paragraph 0039 and paragraph 0126 through paragraph 0128).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Backman et al. in view of Hara.

Regarding claim 4, Backman et al. discloses a hand held GPS mapping device as discussed supra in claims 1 and 2 above. Backman et al. differs from claim 4 of the present invention in that it does not disclose said decompressing means decompresses the application program corresponding to the location range when location information of the mobile terminal acquired by said location-information acquiring means is found a

Art Unit: 2683

prescribed number of times in succession in said location range stored on said correspondence table. Hara teaches portable terminal (fig. 1 number 20) comprising an area table (stored programmed decompressed information) (paragraph 0126 through paragraph 0128) that compares a number of times the portable terminal visits a predetermined area (paragraph 0036 through paragraph 0037 and paragraph 0126 through paragraph 0128). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Backman et al. with said decompressing means decompresses the application program corresponding to the location range when location information of the mobile terminal acquired by said location-information acquiring means is found a prescribed number of times in succession in said location range stored on said correspondence table in order for the hand held mapping device to let a user know that it has been in the area before and there is a map of the area stored within, as taught by Hara.

Regarding claims 6-9, Backman et al. discloses a hand held GPS mapping device as discussed supra in claims 1 and 2 above. Backman et al. differs from claims 6-9 of the present invention in that it does not disclose a use-of-application history table establishing the correspondence at least between an identifier of the application program, time and date and the location information of the mobile terminal acquired by said location information acquiring means and storing them when a user decompresses the application program and uses it. Hara teaches portable terminal (fig. 1 number 20) comprising an area table (stored programmed decompressed information) (paragraph 0126

Art Unit: 2683

through paragraph 0128) wherein a history database and a travel plan (identifier) acquired by a position detecting unit, time and date (paragraph 0066) and storing them when a user decompresses the application program and uses it (paragraph 0068 through paragraph 0072 and paragraph 0126 through paragraph 0128). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Backman et al. with a use-of-application history table establishing the correspondence at least between an identifier of the application program, time and date and the location information of the mobile terminal acquired by said location information acquiring means and storing them when a user decompresses the application program and uses it in order for the hand held mapping device to provide a user a map and history of times and dates of plan of travel, as taught by Hara.

***Allowable Subject Matter***

8. Claims 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 3, the prior art of record fails to teach or suggest, alone or in combination wherein there exists a decompressed application program in said decompressed-application storing means, and the mobile terminal comprises a means to determine according to the state of use of the decompressed application program, whether or not the decompressed application program should be deleted from said decompressed-application storing means when the location of the mobile terminal



Art Unit: 2683

acquired by said location-information acquiring means is out of the location range corresponding to the decompressed application program on said correspondence table.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ajima (U.S. Patent 5,845,226) discloses a navigation system. Friederich et al. (U.S. Pub. 2001/0043745) discloses a system for compressing data and a geographic database formed therewith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

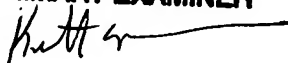
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson  
Art Unit 2683  
July 21, 2005

**KEITH FERGUSON**  
**PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read "Keith", followed by a horizontal line.